

PB# 02-26

KFC/Long John Silver's

35-1-59.21

02-26

KENTUCKY FRIED CHICKEN/LC
SILVER SITE PLAN - rt. 32

TOWN OF NEW WINDSOR
PLANNING BOARD
APPROVED COPY

DATE: 11-08-02

Mason, Myra

From: mje [mje@mhepc.com]
Sent: Saturday, May 17, 2003 11:12 PM
To: Shaw Engineering - Greg Shaw
Cc: NW - Myra Mason
Subject: KFC Site Status

Gregg

I visited KFC on Friday. The landscaping was not complete, in fact the landscapers were on site working.

Please note the following additional concerns.

I believe the one-way signs at the entrance and exit are the wrong ones.

Striping is almost worn away (original painting was questionable, and is now in need of repainting.

All areas not landscaped or paved (that are bare earth) must be seeded or finished otherwise (bare dirt NG).

I didnt notice if the flagpole was in.

In conclusion, the site is not done. Please have the following addressed and let me know when a reinspection is requested.

Mark

Mark J. Edsall, P.E., Principal
McGoey, Hauser & Edsall, Consulting Engineers, P.C.
33 Airport Center Drive - Suite #202
New Windsor, New York 12553
(845) 567-3100

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 12/19/2002

PAGE: 1

LISTING OF PLANNING BOARD ACTIONS

STAGE:

STATUS [Open, Withd]
A [Disap, Appr]

FOR PROJECT NUMBER: 2-26

NAME: KFC/LJSILVERS - HEADLEE CORP - PA2002-0711
APPLICANT: HEADLEE MANAGEMENT CORP.

--DATE--	MEETING-PURPOSE-----	ACTION-TAKEN-----
11/08/2002	PLANS STAMPED	APPROVED
09/25/2002	P.B. APPEARANCE . SUBMIT COST ESTIMATE	LA:ND WVE PH APPR
09/04/2002	WORK SHOP APPEARANCE	SUBMIT

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 11/07/2002

PAGE: 1

LISTING OF PLANNING BOARD FEES
4% FEE

FOR PROJECT NUMBER: 2-26

NAME: KFC/LJSILVERS - HEADLEE CORP - PA2002-0711

APPLICANT: HEADLEE MANAGEMENT CORP.

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
10/29/2002	2%OF \$46,665 COST EST-INS	CHG	933.00		
11/05/2002	REC. CK. #244	PAID		933.00	
		TOTAL:	933.00	933.00	0.00

[Handwritten signature]
11/8/02

Town of New Windsor
555 Union Avenue
New Windsor, NY 12553
(845) 563-4611

RECEIPT
#1011-2002

11/07/2002

#02.26 Approved *See*
Headlee Management Corp
257 Route 17k
Newburgh, NY 12550

Received \$100.00 for Planning Board Fees on 11/07/2002. Thank you for stopping by the Town Clerk's office.

As always, it is our pleasure to serve you.

Deborah Green
Town Clerk

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 11/07/2002

PAGE: 1

LISTING OF PLANNING BOARD **FEE**
APPROVAL

FOR PROJECT NUMBER: 2-26

NAME: KFC/LJSILVERS - HEADLEE CORP - PA2002-0711

APPLICANT: HEADLEE MANAGEMENT CORP.

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
09/25/2002	P.B. APPROVAL	CHG	100.00		
11/06/2002	REC. CK. #143	PAID		100.00	
		TOTAL:	100.00	100.00	0.00

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 11/07/2002

PAGE: 1

LISTING OF PLANNING BOARD **FEEs**
ESCROW

FOR PROJECT NUMBER: 2-26

NAME: KFC/LJSILVERS - HEADLEE CORP - PA2002-0711

APPLICANT: HEADLEE MANAGEMENT CORP.

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
09/05/2002	REC. CK. #221	PAID		750.00	
09/25/2002	P.B. ATTY. FEE	CHG	35.00		
09/25/2002	P.B. MINUTES	CHG	27.00		
10/29/2002	P.B. ENGINEER FEE	CHG	158.40		
11/07/2002	RETURN TO APPLICANT	CHG	529.60		
		TOTAL:	750.00	750.00	0.00

L.R.
11/7/02

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 10/29/2002

PAGE: 1

LISTING OF PLANNING BOARD **FEES**
ESCROW

FOR PROJECT NUMBER: 2-26

NAME: KFC/LJSILVERS - HEADLEE CORP - PA2002-0711
APPLICANT: HEADLEE MANAGEMENT CORP.

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
09/05/2002	REC. CK. #221	PAID		750.00	
09/25/2002	P.B. ATTY. FEE	CHG	35.00		
09/25/2002	P.B. MINUTES	CHG	27.00		
10/29/2002	P.B. ENGINEER FEE	CHG	158.40		
		TOTAL:	220.40	750.00	-529.60

*To be returned
To applicant*

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 10/29/2002

PAGE: 1

LISTING OF PLANNING BOARD **FEES**
APPROVAL

FOR PROJECT NUMBER: 2-26

NAME: KFC/LJSILVERS - HEADLEE CORP - PA2002-0711

APPLICANT: HEADLEE MANAGEMENT CORP.

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
09/25/2002	P.B. APPROVAL	CHG	100.00		
			-----	-----	
		TOTAL:	100.00	0.00	100.00

check #1

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 10/29/2002

PAGE: 1

LISTING OF PLANNING BOARD FEES
4% FEE

FOR PROJECT NUMBER: 2-26

NAME: KFC/LJSILVERS - HEADLEE CORP - PA2002-0711
APPLICANT: HEADLEE MANAGEMENT CORP.

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
10/29/2002	2%OF \$46,665 COST EST-INS ^o · CHG		933.00		
	<i>fee</i> TOTAL:		933.00	0.00	933.00

Check #2



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E. (NY & PA)
WILLIAM J. HAUSER, P.E. (NY & NJ)
MARK J. EDSALL, P.E. (NY, NJ & PA)
JAMES M. FARR, P.E. (NY & PA)

NEW YORK OFFICE

33 Airport Center Drive
Suite 202
New Windsor, New York 12553

(845) 567-3100
fax: (845) 567-3232
e-mail: mhcnny@mhepc.com

Writer's e-mail address:
mje@mhepc.com

MEMORANDUM

(via fax)

28 October 2002

TO: MYRA MASON, PLANNING BOARD SECRETARY
FROM: MARK J. EDSALL, P.E., PLANNING BOARD ENGINEER
SUBJECT: KFC/LJS SITE PLAN
PLANNING BOARD APPLICATION NO. 02-26

A handwritten signature in black ink, appearing to be 'MJE', written over the 'FROM' line of the memorandum.

I have reviewed the Shaw estimate for the subject application. Only one correction was needed.

The revised bond amount is \$46,665 and the related fee would be \$ 933.

Our printout is attached.

Call if any questions.

NW02-26-Closure Memo 102802
MJE/s

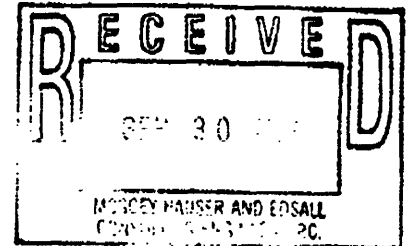
REGIONAL OFFICES

- 507 Broad Street • Milford, Pennsylvania 18337 • 570-296-2765 •
- 540 Broadway • Monticello, New York 12701 • 845-794-3391 •

Shaw Engineering**Consulting Engineers**

744 Broadway
P.O. Box 2569
Newburgh, New York 12550
(914) 561-3695

September 27, 2002



Chairman James R. Petro, Jr. and
Members of the Planning Board
TOWN OF NEW WINDSOR
555 Union Avenue
New Windsor, New York 12553

Via Fax And Conventional Mail

Re: New Kentucky Fried Chicken/Long John Silvers Restaurant
For Headlee Management Corp.
Windsor Highway, Town of New Windsor

Gentlemen:

We have presented below for your consideration our Construction Estimate for the site improvements for the New Kentucky Fried Chicken/Long John Silvers Restaurant. Our estimate is as follows:

CONSTRUCTION ESTIMATE

<u>ITEM</u>	<u>QUANTITY</u>	<u>UNIT PRICE</u>	<u>AMOUNT</u>
Macadam Pavement	280 S.Y.	\$ 14	\$ 3,920
Macadam Pavement Overlay	3,310 S.Y.	\$ 5.4	\$ 13,240 16,550
Pavement Markings	1,340 L.F.	\$.40	\$ 536
Misc. Pavement Markings	L.S.	\$ 300	\$ 300
Handicap Sign/Striping	2	\$ 125	\$ 250
Wheelstops	39	\$ 15	\$ 585
Directional Signs	2	\$ 150	\$ 300
Concrete Curbing	380 L.F.	\$ 10	\$ 3,800
Concrete Sidewalks	66 S.Y.	\$ 35	\$ 2,310

Chairman James Petro and
Members of the Planning Board (Cont'd)

-2-

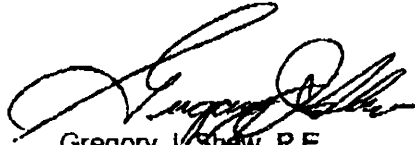
September 27, 2002

<u>ITEM</u>	<u>QUANTITY</u>	<u>UNIT PRICE</u>	<u>AMOUNT</u>
Pole With Single Luminaire	1	\$ 900	\$ 900
Poles With Double Luminaire	8	\$ 1,200	\$ 9,600
Refuse Enclosure	L.S.	\$ 2,000	\$ 2,000
4 Foot High Wood Fence	172 L.F.	\$ 12	\$ 2,064
Flagpole	1	\$ 500	\$ 500
Trees	10	\$ 125	\$ 1,250
Shrubs	72	\$ 25	\$ 1,800
Total			\$ 43,355
			<u>3310</u>

Should this Estimate be acceptable to your Board, my client will pay the 2% inspection fee of \$867.00.

Respectfully submitted,

SHAW ENGINEERING



Gregory J. Shaw, P.E.
Principal

GJS:mmv

cc: Mark Edsall, P.E., Planning Board Engineer Via Fax
Jan Headlee, Headlee Management Corp.

46,665

#933

AS OF 10/28/2002

PAGE: 1

CHRONOLOGICAL JOB STATUS REPORT

JOB: 87-56

NEW WINDSOR PLANNING BOARD (Chargeable to Applicant)

CLIENT: NEWWIN - TOWN OF NEW WINDSOR

TASK: 2 26

FOR WORK DONE PRIOR TO: 10/28/2002

TASK-NO	REC	DATE	TRAN	EMPL	ACT DESCRIPTION-----	RATE	HRS.	TIME	EXP.	BILLED	BALANCE
2-26	219920	09/04/02	TIME	MJE	WS KFC SITE PLAN	28.00	0.40	35.20			
2-26	220519	09/11/02	TIME	MJE	MC KFC APP W/CHAIRMAN	88.00	0.30	26.40			
2-26	222139	09/25/02	TIME	MJE	MM KFC/LJS S/P Cond APP	88.00	0.10	8.80			
2-26	222289	09/25/02	TIME	MJE	MC KFC/LJS SITE PLAN	88.00	0.50	44.00			
2-26	226081	10/28/02	TIME	MJE	MC KFC Closeout	88.00	0.50	44.00			
								158.40			
2-26	225724	10/24/02			BILL 02-1231					-114.40	
										-114.40	
					TASK TOTAL			158.40	0.00	-114.40	44.00
					GRAND TOTAL			158.40	0.00	-114.40	44.00

TOTAL P.04

KFC/LONG JOHN SILVER (HEADLEE CORP.) 02-26

Mr. Gregory Shaw of Shaw Engineering appeared before the board for this proposal.

MR. PETRO: Proposed demolition of existing building formerly Ponderosa, construction of new building within site improvements. Note for the minutes, Franny, that I do own the lands next to this application but I have nothing to do with this application. And also, Mark, I think there was some comment to whether or not the applicant actually needed site plan review for this or not because they're going to be building within the footprint of the existing building with the same existing use.

MR. EDSALL: Right.

MR. PETRO: Bring us up to date with that.

MR. EDSALL: Comments kind of acknowledge the fact that this is one of those cases where they have to come in but in some regards it makes no sense that they're made to come in. We've got a situation of an existing site continuing in the same use that they could go into the same building and make no improvements and not that it looks, it doesn't look good, but it wouldn't look any better and they could move in tomorrow and continue their use and we'd have no opportunity to work with them to improve the site. Instead, they want to improve it, unfortunately for them, that triggers the need to come in for a site plan approval because they are modifying the parking, changing the building, in fact, this plan eliminates one pre-existing non-conformance, the front yard setback, so they're forced to come in and go through this process even though they're making a situation better. So this is one of the cases where if anything, we should work with them and accelerate the process and thank them for coming in and making it better because they could go into the same building and just continue so they are here, it's an improvement, they're making it meet the current regulations with the exception of lot width, correct, Greg?

MR. SHAW: Correct.

MR. PETRO: Mark, one important thing to note is that the curb entrances or anything in the New York State DOT right-of-way they're not going to be affected in any way so it's all internal?

MR. EDSALL: Everything proposed is within the lot area and there are no other agencies that are, that have no other, other than the health department.

MR. PETRO: No zoning changes issues arise from the change?

MR. EDSALL: They're improving one item.

MR. LANDER: Going to change the lighting on the outside, I see there's light poles, is there existing light poles now?

MR. SHAW: Yes, there are, if you turn to drawing number 2, that's the existing conditions plan, that's the Ponderosa site as it presently exists, edge of pavement, building and light poles.

MR. PETRO: Going to be doing repaving?

MR. SHAW: There's going to be an overlay, some areas we're going to be taking out blacktop, very small areas, there's also going to be very small areas where we're adding blacktop, such as the building is smaller than the building that's there, therefore, we're going to have to blacktop that area and that's the shaded areas that you will see on this site plan, but for the most part, it's an overlay and it's a restriping job.

MR. LANDER: Mr. Shaw, these are lights here, aren't they?

MR. SHAW: Correct.

MR. LANDER: New lights?

MR. SHAW: Correct. What we have generated in addition to a new parking plan with striping and such is a

lighting plan as if it was a new application and we also generated a landscaping plan again as if it was a new application.

MR. PETRO: We have fire approval on 8/6/2002 and highway looked at it and approved it anyway but it's an approval 9/10/02. Motion for lead agency.

MR. ARGENIO: So moved.

MR. LANDER: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board declare itself lead agency. Is there further discussion? If not, roll call.

ROLL CALL

MR. ARGENIO	AYE
MR. BRESNAN	AYE
MR. KARNAVEZOS	AYE
MR. LANDER	AYE
MR. PETRO	AYE

MR. PETRO: Public hearing I think it's the exact same use.

MR. ARGENIO: Do we have to waive?

MR. PETRO: Waive under discretionary judgment, exact same use, making the building smaller, improving the front yard setback.

MR. ARGENIO: Make a motion we waive.

MR. BRESNAN: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board waive the public hearing under its discretionary judgment for the KFC/Long John Silver site plan. Is there any further discussion from the board members? If not, roll call.

ROLL CALL

MR. ARGENIO	AYE
MR. BRESNAN	AYE
MR. KARNAVEZOS	AYE
MR. LANDER	AYE
MR. PETRO	AYE

MR. PETRO: Motion for negative dec.

MR. ARGENIO: So moved.

MR. BRESNAN: Second it.

MR. PETRO: Motion has been made and seconded that the Windsor Planning Board declare negative dec under the SEQRA process for the KFC/Long John Silver site plan. Any discussion? If not, roll call.

ROLL CALL

MR. ARGENIO	AYE
MR. BRESNAN	AYE
MR. KARNAVEZOS	AYE
MR. LANDER	AYE
MR. PETRO	AYE

MR. PETRO: Planning board should require that a bond estimate be submitted in accordance with Chapter 19 of the Town Code which you're well aware of, Mr. Shaw?

MR. SHAW: Yes.

MR. PETRO: Mark, any outstanding issues or any reason that we should not go further?

MR. EDSALL: No, matter of fact, as Greg indicated, he gave us a complete package as if it was a new site and I looked it over with him and I think it's in great shape.

MR. PETRO: Comments from the board members? Any further comments?

MR. KARNAVEZOS: No.

MR. LANDER: No.

MR. ARGENIO: No.

MR. BRESNAN: No.

MR. PETRO: Motion for final.

MR. ARGENIO: So moved.

MR. BRESNAN: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board grant final approval to the Kentucky Fried Chicken site plan amendment on Route 32. Is there any further discussion? If not, roll call.

ROLL CALL

MR. ARGENIO	AYE
MR. BRESNAN	AYE
MR. KARNAVEZOS	AYE
MR. LANDER	AYE
MR. PETRO	AYE

MR. SHAW: I have one other request on this application, if I may, first I'd like to thank the board for the quick approval on this recognizing that it is relatively simple. My client is under the gun with respect to starting construction and delivering this building by the end of the year. What I would ask this board to consider is allowing him to get a foundation permit without having stamped plans, again recognizing he'd be proceeding at his own risk, all right, which would allow him to save maybe a week or two in the construction process. A week or two does not sound like it's much now, but into December, it gets to be very important.

MR. PETRO: I'll poll the board.

MR. ARGENIO: No problem.

MR. BRESNAN: No problem.

MR. KARNAVEZOS: No.

September 25, 2002

48

MR. LANDER: No problem.

MR. PETRO: You got it.

MR. SHAW: We'll work out the details with the building inspector. thank you.

MR. PETRO: I hope we didn't hold you up.

RESULTS OF P.B. MEETING OF : September 25, 2002

PROJECT: KFC / Long John Silver **P.B.#** 02-26

LEAD AGENCY:

NEGATIVE DEC:

1. AUTHORIZE COORD LETTER: Y___ N___

M) A S) B VOTE: A 5 N 0

2. TAKE LEAD AGENCY: Y ☒ N ☐

CARRIED: YES ☒ NO ☐

M) A S) B VOTE: A 5 N 0

CARRIED: YES ☒ NO ☐

WAIVE PUBLIC HEARING: M) AS B VOTE: A 5 N 0 WAIVED: Y ☒ N

SCHEDULE P.H. Y N ☒

SEND TO O.C. PLANNING: Y

SEND TO DEPT. OF TRANSPORTATION: Y

REFER TO Z.B.A: M)___ S)___ VOTE: A___ N___

RETURN TO WORK SHOP: YES NO

APPROVAL:

M) A S) B VOTE: A 5 N 0 APPROVED: 9/25/02

M) S) VOTE: A N APPROVED CONDITIONALLY:

NEED NEW PLANS: Y N

DISCUSSION/APPROVAL CONDITIONS:

Submit Cost Estimate



**McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.**

RICHARD D. McGOEY, P.E. (NY & PA)

WILLIAM J. HAUSER, P.E. (NY & NJ)

MARK J. EDSALL, P.E. (NY, NJ & PA)

JAMES M. FARR, P.E. (NY & PA)

□ Main Office

33 Airport Center Drive
Suite #202
New Windsor, New York 12553
(845) 567-3100
e-mail: mheny@mhepc.com

□ Regional Office

507 Broad Street
Milford, Pennsylvania 18337
(570) 296-2765
e-mail: mhepa@mhepc.com

Writer's E-mail Address:
mje@mhepc.com

**TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS**

PROJECT NAME: KENTUCKY FRIED CHICKEN/LONG JOHN SILVERS (HEADLEE MANAGEMENT CORP.) SITE PLAN AMENDMENT

PROJECT LOCATION: NYS ROUTE 32
SECTION 35 – BLOCK 1 – LOT 59.21

PROJECT NUMBER: 02-26

DATE: 25 SEPTEMBER 2002

DESCRIPTION: THE APPLICATION PROPOSES THE DEMOLITION OF THE EXISTING RESTAURANT ON SITE AND CONSTRUCTION OF A NEW 3700 S.F. RESTAURANT.

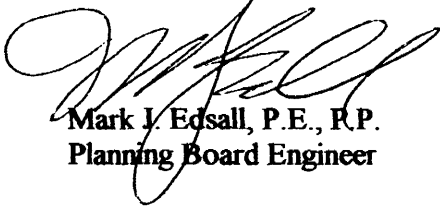
1. The use is permitted in the zone, and is, in fact, the existing use on the site. Other than the fact that the applicant wants to improve and update the site, they would not be required to apply to the Board for this proposed continued use. (i.e. if they occupied the existing facility and did not improve the site, no application would be required).

As noted on the plan, the “updated” layout complies with current zoning (with exception of lot width condition which continues), and in fact eliminates at least one pre-existing non-conformance at the site (front yard setback).

2. Notwithstanding the nature of this application, a complete site plan submittal with full layout, details, landscaping, lighting, etc. has been submitted. It looks fine.
3. The Planning Board may wish to assume the position of Lead Agency under the SEQRA review process. Since no work is proposed in the DOT right-of-way and this is a continuation of an identical use, it is my opinion that no DOT approvals are required and they are not an involved agency.
4. The Planning Board may wish to make a determination regarding the type action this project should be classified under SEQRA, and make a determination regarding environmental significance.

5. The Planning Board should determine, for the record, if a Public Hearing will be required for this Site Plan Amendment, per its discretionary judgment under Paragraph 48-19.C of the Town Zoning Local Law.
6. The Planning Board should require that a bond estimate be submitted for this Site Plan in accordance with Chapter 19 of the Town Code.
7. I believe this application should be considered for approval at the Board's earliest convenience, in light of the above.

Respectfully Submitted,



Mark J. Edsall, P.E., R.P.
Planning Board Engineer

MJE/st
NW02-26-25Sept02.doc



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4615
Fax: (845) 563-4693

OFFICE OF THE PLANNING BOARD

PROJECT REVIEW SHEET

TO: ☐ FIRE INSPECTOR, ☐ WATER DEPT.,
☒ SEWER DEPT., ☐ HIGHWAY DEPT.

RECEIVED
TOWN OF NEW WINDSOR
SEP - 5 2002
ENGINEER & PLANNING

P.B. FILE # **02-26** DATE RECEIVED: _____

PLEASE RETURN COMPLETED FORM TO MYRA BY: 9-20-02

THE MAPS AND/OR PLANS FOR:

Headlee Management
Applicant or Project Name

SITE PLAN ☒, SUBDIVISION ☐, LOT LINE CHANGE ☐, SPECIAL PERMIT ☐

HAVE BEEN REVIEWED BY THE UNDERSIGNED AND ARE:

☒ APPROVED:

Notes: _____

☐ DISAPPROVED:

Notes: _____

Signature: _____

Reviewed by: _____

Date _____

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 09/26/2002

PAGE: 1

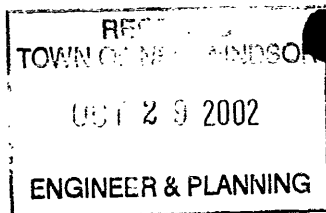
LISTING OF PLANNING BOARD SEQRA ACTIONS

FOR PROJECT NUMBER: 2-26

NAME: KFC/LJSILVERS - HEADLEE CORP - PA2002-0711

APPLICANT: HEADLEE MANAGEMENT CORP.

	DATE-SENT	ACTION-----	DATE-RECD	RESPONSE-----
ORIG	09/06/2002	EAF SUBMITTED	09/05/2002	WITH APPLIC
ORIG	09/06/2002	CIRCULATE TO INVOLVED AGENCIES	/ /	
ORIG	09/06/2002	LEAD AGENCY DECLARED	09/25/2002	TOOK LA
ORIG	09/06/2002	DECLARATION (POS/NEG)	09/25/2002	DECL NEG DEC
ORIG	09/06/2002	SCHEDULE PUBLIC HEARING	/ /	
ORIG	09/06/2002	PUBLIC HEARING HELD	/ /	
ORIG	09/06/2002	WAIVE PUBLIC HEARING	09/25/2002	WAIVE PH
ORIG	09/06/2002	PRELIMINARY APPROVAL	/ /	
ORIG	09/06/2002		/ /	



340 Windsor Highway
New Windsor, NY 12553
October 25, 2002
Phone: 565-2237

Mr. James Petro
Chairman, Planning Board
Town of New Windsor
555 Union Avenue
New Windsor, NY 12553

Dear Mr. Petro:

Reference is made to the new construction of the Kentucky Fried Chicken/Long John Silver's at the former Ponderosa Restaurant site, Route 32, Windsor Highway, New Windsor, NY.

I reside next to the new construction and have several requests as follows:

1. Request the existing 5'-0" chain link fence to remain in lieu of the proposed 4'-0" wooden fence. The existing metal fence offers more protection than the proposed wooden fencing. The existing chain link fence should be straightened.
2. Request a guard rail along 200 feet adjacent to my property or a curb higher than the existing 5 inch beveled pre-cast curb starting at the Windsor Highway line. The new curbing should be set back from the existing fencing, so that when vehicles back into the parking spaces, they do not knock down the fencing. There is a longer distance between the rear wheels and the rear bumper compared to a front bumper when pulling into a parking space. For example, a Ford F-250, pick-up truck's rear wheels to the rear bumper are approximately 42 inches. A determination should be made as to the actual distance of rear wheels and bumpers, especially of pick-up trucks and SUV's. The curbing should be placed accordingly. A guardrail would provide more protection during the winter months. It would help keep the fence from being pushed over when snow is being plowed against the fencing.
3. Also, in the past, on three (3) occasions, patrons at Ponderosa Restaurant have jumped the pre-cast curbing, taking down the fencing, crossing my driveway and damaging my stone wall.
4. I do not have any objections if the parking lot lighting does not have shading lens facing my property. I would prefer no shading lens.

If you have any questions, please feel free to contact me.

Thank you.

Very truly yours,


JESSE D. DEYO

cc: Mike Bobcock
Mark Edsall
Jim Petro, Jr.
Greg Shaw, P.E.

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 09/25/2002

PAGE: 1

LISTING OF PLANNING BOARD **AGENCY APPROVALS**

FOR PROJECT NUMBER: 2-26

NAME: KFC/LJSILVERS - HEADLEE CORP - PA2002-0711

APPLICANT: HEADLEE MANAGEMENT CORP.

	DATE-SENT	AGENCY-----	DATE-RECD	RESPONSE-----
ORIG	09/06/2002	MUNICIPAL HIGHWAY	09/10/2002	APPROVED
ORIG	09/06/2002	MUNICIPAL WATER	09/11/2002	APPROVED
ORIG	09/06/2002	MUNICIPAL SEWER	/ /	
ORIG	09/06/2002	MUNICIPAL FIRE	09/06/2002	APPROVED
ORIG	09/06/2002	NYS DOT	/ /	

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 09/25/2002

PAGE:

LISTING OF PLANNING BOARD ACTIONS

STAGE:

STATUS [Open, With]
O [Disap, Appl]

FOR PROJECT NUMBER: 2-26

NAME: KFC/LJSILVERS - HEADLEE CORP - PA2002-0711
APPLICANT: HEADLEE MANAGEMENT CORP.

--DATE--	MEETING-PURPOSE-----	ACTION-TAKEN-----
09/04/2002	WORK SHOP APPEARANCE	SUBMIT

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 09/25/2002

PAGE: 1

LISTING OF PLANNING BOARD SEQRA ACTIONS

FOR PROJECT NUMBER: 2-26

NAME: KFC/LJSILVERS - HEADLEE CORP - PA2002-0711
APPLICANT: HEADLEE MANAGEMENT CORP.

	DATE-SENT	ACTION-----	DATE-RECD	RESPONSE-----
ORIG	09/06/2002	EAF SUBMITTED	09/05/2002	WITH APPLIC
ORIG	09/06/2002	CIRCULATE TO INVOLVED AGENCIES	/	/
ORIG	09/06/2002	LEAD AGENCY DECLARED	/	/
ORIG	09/06/2002	DECLARATION (POS/NEG)	/	/
ORIG	09/06/2002	SCHEDULE PUBLIC HEARING	/	/
ORIG	09/06/2002	PUBLIC HEARING HELD	/	/
ORIG	09/06/2002	WAIVE PUBLIC HEARING	/	/
ORIG	09/06/2002	PRELIMINARY APPROVAL	/	/
ORIG	09/06/2002		/	/

Town of New Windsor
555 Union Avenue
New Windsor, NY 12553
(845) 563-4611

RECEIPT
#793-2002

09/06/2002

02-26 Application Fee

Headlee Management Corp
257 Route 17k
Newburgh, NY 12550

Received \$100.00 for Planning Board Fees on 09/06/2002. Thank you for stopping by the Town Clerk's office.

As always, it is our pleasure to serve you.

Deborah Green
Town Clerk

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 09/06/2002

PAGE: 1

LISTING OF PLANNING BOARD **FEES**
ESCROW

FOR PROJECT NUMBER: 2-26

NAME: KFC/LJSILVERS - HEADLEE CORP - PA2002-0711
APPLICANT: HEADLEE MANAGEMENT CORP.

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
09/05/2002	REC. CK. #221	PAID		750.00	
		TOTAL:	0.00	750.00	-750.00

J. Klein
9/6/02

INTER-OFFICE CORRESPONDENCE

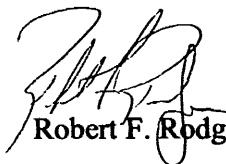
TO: Town Planning Board
FROM: Town Fire Inspector
SUBJECT: Headlee Management Corp..
DATE: 6 September 2002

Planning Board Reference Number: PB-02-26
Dated: 4 September 2002
Fire Prevention Reference Number: FPS-02-053

A review of the above referenced subject site plan was conducted on 6 September 2002.

This site plan is acceptable.

Plans Dated: 4 September 2002


Robert F. Rodgers



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4615
Fax: (845) 563-4693

OFFICE OF THE PLANNING BOARD

PROJECT REVIEW SHEET

TO: ☐ FIRE INSPECTOR, ☐ WATER DEPT.,
☐ SEWER DEPT., ☒ HIGHWAY DEPT.

RECEIVED
TOWN OF NEW WINDSOR
SEP - 5 2002
ENGINEER & PLANNING

P.B. FILE # **02-26** DATE RECEIVED: _____

PLEASE RETURN COMPLETED FORM TO MYRA BY: 9-20-02

THE MAPS AND/OR PLANS FOR:

Headlee Management
Applicant or Project Name

RECEIVED

SEP 06 2002

SITE PLAN ☒, SUBDIVISION ☐, LOT LINE CHANGE ☐, SPECIAL PERMIT ☐ ~~NEW HIGHWAY DEPT.~~

HAVE BEEN REVIEWED BY THE UNDERSIGNED AND ARE:

☒ APPROVED:

Notes: _____

☐ DISAPPROVED:

Notes: _____

Signature: _____

Reviewed By: _____

Date 9/10/02



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4615
Fax: (845) 563-4693

OFFICE OF THE PLANNING BOARD

PROJECT REVIEW SHEET

TO: ☐ FIRE INSPECTOR, ☒ WATER DEPT.,
☐ SEWER DEPT., ☐ HIGHWAY DEPT.

RECEIVED
TOWN OF NEW WINDSOR
SEP - 5 2002
ENGINEER & PLANNING

P.B. FILE # 02-26 DATE RECEIVED: _____

PLEASE RETURN COMPLETED FORM TO MYRA BY: 9-20-02

THE MAPS AND/OR PLANS FOR:

Headlee Management
Applicant or Project Name

SITE PLAN ☒, SUBDIVISION ☐, LOT LINE CHANGE ☐, SPECIAL PERMIT ☐

HAVE BEEN REVIEWED BY THE UNDERSIGNED AND ARE:

☒ APPROVED:

Notes: This property is currently being fed with
town water

☐ DISAPPROVED:

Notes: _____

Signature: [Signature] 9-11-02
Reviewed by: _____ Date



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E. (NY & PA)
WILLIAM J. HAUSER, P.E. (NY & NJ)
MARK J. EDSALL, P.E. (NY, NJ & PA)
JAMES M. FARR, P.E. (NY & PA)

☐ Main Office
33 Airport Center Drive
Suite #202
New Windsor, New York 12553
(845) 567-3100
e-mail: mhenry@att.net

☐ Regional Office
507 Broad Street
Milford, Pennsylvania 18337
(570) 296-2765
e-mail: mhpa@ptd.net

PLANNING BOARD WORK SESSION
RECORD OF APPEARANCE

103

TOWN/VILLAGE OF: New Windsor P/B APP. NO.: 02-26

WORK SESSION DATE: 4 Sept 02 PROJECT: NEW OLD

REAPPEARANCE AT W/S REQUESTED: No RESUB. REQ'D: Full

PROJECT NAME: KFC/Long John Silvers

REPRESENTATIVES PRESENT: Cory Shaw / Dan Hedley / MZ / Vince Bruno

MUNICIPAL REPS PRESENT:

BLDG INSP.		FIRE INSP.	<u>B.L.</u>
ENGINEER	<u>X</u>	PLANNER	
P/B CHMN		OTHER	

ITEMS DISCUSSED: KFC

overlays - new striping
pk, complete
deal w/ cross eas.
cross can to Windsor Pnt.
3 flags

No P/H rec
SEBRA.

STND CHECKLIST:

DRAINAGE
DUMPSTER
SCREENING
LIGHTING
(Streetlights)
LANDSCAPING
BLACKTOP
ROADWAYS

Set for 9/25 mtg

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553
Telephone: (914) 563-4615
Fax: (914) 563-4693

PLANNING BOARD APPLICATION

TYPE OF APPLICATION (check appropriate item):

Subdivision _____ Lot Line Change _____ Site Plan X Special Permit _____

Tax Map Designation: Sec. 35 Block 1 Lot 59.21

BUILDING DEPARTMENT REFERRAL NUMBER 2002 - 0711

1. Name of Project New Kentucky Fried Chicken/Long John Silvers For Headlee Management Corp.

2. Owner of Record Brauvin Capital Partners LLC Phone _____
DBA BCP LLC

Address: 30 N. LaSalle St., Suite 3100, Chicago, IL 60602
(Street Name & Number) (Post Office) (State) (Zip)

3. Name of Applicant Headlee Management, Corp. Phone 564-5250

Address: 259 Route 17K, Newburgh, NY 12550
(Street Name & Number) (Post Office) (State) (Zip)

4. Person Preparing Plan Gregory J. Shaw, P.E. Phone 561-3695

Address: 744 Broadway, Newburgh, NY 12550
(Street Name & Number) (Post Office) (State) (Zip)

5. Attorney _____ Phone _____

Address _____
(Street Name & Number) (Post Office) (State) (Zip)

6. Person to be notified to appear at Planning Board meeting:

Gregory J. Shaw, P.E. 561-3695
(Name) (Phone)

7. Project Location: On the west side of Windsor 600 feet
(Direction) (Street) (No.)
north of Old Forge Hill Road
(Direction) (Street)

8. Project Data: Acreage 1.09 Zone C School Dist. Newburgh
~~0.80~~

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PAGE 1 OF 2

(PLEASE DO NOT COPY 1 & 2 AS ONE PAGE TWO-SIDED)

02-26

9. Is this property within an Agricultural District containing a farm operation or within 500 feet of a farm operation located in an Agricultural District? Yes _____ No X

***This information can be verified in the Assessor's Office.**

***If you answer yes to question 9, please complete the attached AAgricultural Data Statement.**

10. Description of Project: (Use, Size, Number of Lots, etc.) Removal of
existing structure and the construction of a 3,675 SF
building. Minor modifications to existing site features.

11. Has the Zoning Board of Appeals Granted any Variances for this property? yes _____ no X

12. Has a Special Permit previously been granted for this property? yes _____ no X

ACKNOWLEDGMENT:

IF THIS ACKNOWLEDGMENT IS COMPLETED BY ANYONE OTHER THAN THE PROPERTY OWNER, A SEPARATE NOTARIZED STATEMENT OR PROXY STATEMENT FROM THE OWNER MUST BE SUBMITTED, AT THE TIME OF APPLICATION, AUTHORIZING THIS APPLICATION.

STATE OF NEW YORK)

SS.:

COUNTY OF ORANGE)

THE UNDERSIGNED APPLICANT, BEING DULY SWORN, DEPOSES AND STATES THAT THE INFORMATION, STATEMENTS AND REPRESENTATIONS CONTAINED IN THIS APPLICATION AND SUPPORTING DOCUMENTS AND DRAWINGS ARE TRUE AND ACCURATE TO THE BEST OF HIS/HER KNOWLEDGE AND/OR BELIEF. THE APPLICANT FURTHER ACKNOWLEDGES RESPONSIBILITY TO THE TOWN FOR ALL FEES AND COSTS ASSOCIATED WITH THE REVIEW OF THIS APPLICATION.

SWORN BEFORE ME THIS:

16th DAY OF August 192002 [Signature]
APPLICANT'S SIGNATURE

[Signature]
NOTARY PUBLIC

LINDA RODRIGUEZ
Notary Public, State of New York
County of Ulster
No. 01R06006262
Commission Expires April 27, 2006

TOWN USE ONLY
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SEP 5 2002
DATE APPLICATION RECEIVED
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02-26
APPLICATION NUMBER

APPLICANT/OWNER PROXY STATEMENT
(for professional representation)

for submittal to the:
TOWN OF NEW WINDSOR PLANNING BOARD

Brauvin Capital Partners LLC it conducts business
(OWNER), deposes and says that he resides

at 30 N. LaSalle St., Chicago, IL in the County of Cook
(OWNER'S ADDRESS)


and State of Illinois and that he is the owner of property tax map

(Sec. 35 Block 1 Lot 59.21)
designation number (Sec. Block Lot) which is the premises described in
the foregoing application and that he authorizes:

Headlee Management Corp., 259 Route 17K, Newburgh, NY 12550
(Applicant Name & Address, if different from owner)

Gregory J. Shaw, P.E., 744 Broadway, Newburgh, NY 12550
(Name & Address of Professional Representative of Owner and/or Applicant)

to make the foregoing application as described therein.

Date: 6/19/02

Witness' Signature

Brauvin Capital Partners LLC
By: Brauvin Capital Partners LLC
By: Gregory J. Shaw, P.E.
Owner's Signature
Jon H. Headlee
Applicant's Signature if different than owner
Representative's Signature

**THIS FORM CANNOT BE WITNESSED BY THE PERSON OR
REPRESENTATIVE OF THE COMPANY WHO IS BEING AUTHORIZED TO
REPRESENT THE APPLICANT AND/OR OWNER AT THE MEETINGS.**

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02-26

TOTAL P.02

**PREVIOUS
DOCUMENT
IN POOR
ORIGINAL
CONDITION**

PROJECT ID NUMBER

617.20
APPENDIX C


SEQR

STATE ENVIRONMENTAL QUALITY REVIEW

SHORT ENVIRONMENTAL ASSESSMENT FORM

for UNLISTED ACTIONS Only

PART 1 - PROJECT INFORMATION (To be completed by Applicant or Project Sponsor)

1. APPLICANT / SPONSOR Headlee Management Corp.	2. PROJECT NAME KFC/Long John Silvers For Headlee Manage Corp.
3. PROJECT LOCATION: Town Of New Windsor Municipality	Orange County
4. PRECISE LOCATION: Street Address and Road Intersections, Prominent landmarks etc - or provide map West Side Of Windsor Highway, 600 Feet North Of Old Forge Hill Road	
5. IS PROPOSED ACTION: <input checked="" type="checkbox"/> New <input type="checkbox"/> Expansion <input type="checkbox"/> Modification / alteration	
6. DESCRIBE PROJECT BRIEFLY: The removal of the existing structure and the construction of a new ^{3,700} 3,675 SF building. Included are minor modifications to existing site improvements	
7. AMOUNT OF LAND AFFECTED: Initially 0.80 acres Ultimately 0.80 acres	
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER RESTRICTIONS? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If no, describe briefly:	
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? (Choose as many as apply.) <input checked="" type="checkbox"/> Residential <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input type="checkbox"/> Park / Forest / Open Space <input type="checkbox"/> Other (describe)	
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (Federal, State or Local) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, list agency name and permit / approval:	
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, list agency name and permit / approval:	
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT / APPROVAL REQUIRE MODIFICATION? <input type="checkbox"/> Yes <input type="checkbox"/> No	
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE Applicant / Sponsor Name Headlee Management Corp. Date: August 19, 2002 Signature 	

If the action is a Coastal Area, and you are a state agency,
complete the Coastal Assessment Form before proceeding with this assessment

02-26

PART II - IMPACT ASSESSMENT (To be completed by Lead Agency)

A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.4? If yes, coordinate the review process and use the FULL EAF.	
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.6? If No, a negative declaration may be superseded by another involved agency.	
<input type="checkbox"/> Yes	<input type="checkbox"/> No
C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible)	
C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic pattern, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly:	
No	
C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly:	
No	
C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly:	
No	
C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly:	
No	
C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly:	
No	
C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly:	
No	
C7. Other impacts (including changes in use of either quantity or type of energy? Explain briefly:	
No	
D. WILL THE PROJECT HAVE AN IMPACT ON THE ENVIRONMENTAL CHARACTERISTICS THAT CAUSED THE ESTABLISHMENT OF A CRITICAL ENVIRONMENTAL AREA (CEA)? (If yes, explain briefly:	
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
E. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS? If yes explain:	
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

PART III - DETERMINATION OF SIGNIFICANCE (To be completed by Agency)

INSTRUCTIONS: For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed. If question d of part ii was checked yes, the determination of significance must evaluate the potential impact of the proposed action on the environmental characteristics of the CEA.

<input type="checkbox"/>	Check this box if you have identified one or more potentially large or significant adverse impacts which MAY occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.
<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action WILL NOT result in any significant adverse environmental impacts AND provide, on attachments as necessary, the reasons supporting this determination.
Town Of New Windsor Planning Board	
Name of Lead Agency	
James R. Petro, Jr.	
Print or Type Name of Responsible Officer in Lead Agency	
Signature of Responsible Officer in Lead Agency	
Date	
Title of Responsible Officer	
Signature of Preparer (if different from responsible officer)	

02-26

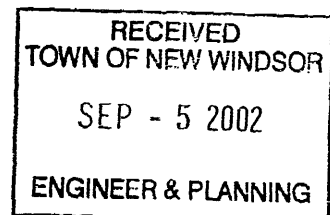
SITE PLAN CHECKLISTITEM

1. X Site Plan Title
2. X Provide 4" wide X 2" high box (IN THE LOWEST RIGHT CORNER OF THE PLAN) for use by Planning Board in affixing Stamp of Approval. (ON ALL PAGES OF SITE PLAN).

SAMPLE:

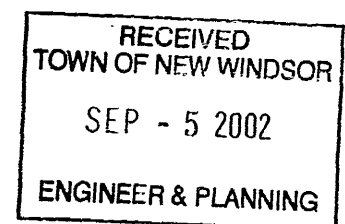


3. X Applicant's Name(s)
4. X Applicant's Address
5. X Site Plan Preparer's Name
6. X Site Plan Preparer's Address
7. X Drawing Date
8. X -Revision Dates
9. X Area Map Inset and Site Designation
10. NA Properties within 500' of site
11. NA Property Owners (Item #10)
12. X Plot Plan
13. X Scale (1" = 50' or lesser)
14. X Metes and Bounds
15. X Zoning Designation
16. X North Arrow
17. X Abutting Property Owners
18. X Existing Building Locations
19. X Existing Paved Areas
20. X Existing Vegetation
21. X Existing Access & Egress



PROPOSED IMPROVEMENTS

- | | | |
|-----|-----------------------|-------------------------------------|
| 22. | <u> X </u> | Landscaping |
| 23. | <u> X </u> | Exterior Lighting |
| 24. | <u> X </u> | Screening |
| 25. | <u> NA </u> | Access & Egress |
| 26. | <u> X </u> | Parking Areas |
| 27. | <u> NA </u> | Loading Areas |
| 28. | <u> X </u> | Paving Details (Items 25 - 27) |
| 29. | <u> X </u> | Curbing Locations |
| 30. | <u> X </u> | Curbing through section |
| 31. | <u> NA </u> | Catch Basin Locations |
| 32. | <u> X </u> | Catch Basin Through Section |
| 33. | <u> NA </u> | Storm Drainage |
| 34. | <u> X </u> | Refuse Storage |
| 35. | <u> NA </u> | Other Outdoor Storage |
| 36. | <u> X </u> | Water Supply |
| 37. | <u> NA </u> | Sanitary Disposal System |
| 38. | <u> X </u> | Fire Hydrants |
| 39. | <u> X </u> | Building Locations |
| 40. | <u> X </u> | Building Setbacks |
| 41. | <u> NA </u> | Front Building Elevations |
| 42. | <u> NA </u> | Divisions of Occupancy |
| 43. | <u> NA </u> | Sign Details |
| 44. | <u> X </u> | Bulk Table Inset |
| 45. | <u> X </u> | Property Area (Nearest 100 sq. ft.) |
| 46. | <u> X </u> | Building Coverage (sq. ft.) |
| 47. | <u> X </u> | Building Coverage (% of total area) |
| 48. | <u> X </u> | Pavement Coverage (sq. ft.) |
| 49. | <u> X </u> | Pavement Coverage (% of total area) |
| 50. | <u> X </u> | Open Space (sq. ft.) |
| 51. | <u> X </u> | Open Space (% of total area) |
| 52. | <u> X </u> | No. of parking spaces proposed |
| 53. | <u> X </u> | No. of parking spaces required |



REFERRING TO QUESTION 9 ON THE APPLICATION FOR THIS PROPERTY WITHIN AN AGRICULTURAL DISTRICT CONTAINING A FARM OPERATION OR WITHIN 500 FEET OF A FARM OPERATION LOCATED IN AN AGRICULTURAL DISTRICT, PLEASE NOTE THE FOLLOWING:

54. NA Referral to Orange County Planning Dept. is required for all applicants filing AD Statement.
55. NA A disclosure Statement, in the form set below, must be inscribed on all site plan maps prior to the affixing of a stamp of approval, whether or not the Planning Board specifically requires such a statement as a condition of approval.

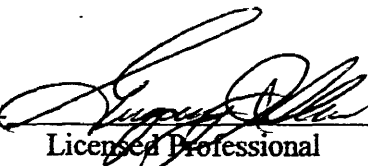
A Prior to the sale, lease, purchase, or exchange of property on this site which is wholly or partially within or immediately adjacent to or within 500 feet of a farm operation, the purchaser or leasee shall be notified of such farm operation with a copy of the following notification.

It is the policy of this State and this community to conserve, protect and encourage the development and improvement of agricultural land for the production of food, and other products, and also for its natural and ecological value. This notice is to inform prospective residents that the property they are about to acquire lies partially or wholly within an agricultural district or within 500 feet of such a district and that farming activities occur within the district. Such farming activities may include, but not be limited to, activities that cause noise, dust and odors.

This list is provided as a guide only and is for the convenience of the Applicant. The Town of New Windsor Planning Board may require additional notes or revisions prior to granting approval.

PREPARER'S ACKNOWLEDGMENT:

THE PLAT FOR THE PROPOSED SITE PLAN HAS BEEN PREPARED IN ACCORDANCE WITH THIS CHECKLIST AND THE TOWN OF NEW WINDSOR ORDINANCES, TO THE BEST OF MY KNOWLEDGE.

BY  9/4/2002
Licensed Professional Date

